

REMARKS

Status of the Claims

This Amendment is in response to the Office action mailed August 16, 2010. Claims 48-53, 57, 58 and 69-74 are pending in the application. By way of this amendment, claims 48, 49, 58, and 69 are amended. Thus, claims 48-53, 57, 58 and 69-74 remain pending. Each of the amendments is fully supported by the originally filed disclosure, and no new matter has been introduced by way of these amendments.

Response to Rejections

Claims 48-53, 57, 58, and 69-74 were rejected as allegedly being obvious over Ishigouoka et al., U.S. Patent No. 6,146,035 ("Ishigouoka") in view of Niwa, U.S. Patent No. 6,113,294. The Applicants respectfully traverse these rejections. Reconsideration and withdrawal of the rejections of claims 48-53, 57, 58, and 69-74 are respectfully requested in view of the claim amendments and the following remarks.

The Office action indicated that certain language recited in Applicants' claims was considered to read as intended use of the recited structure. As amended, claim 48 now recites a label printer comprising at least one print head, a cutting mechanism, and a processor, where the processor causes the at least one print head to print an image in a certain manner. This amendment finds support in the third paragraph on page 8 of the specification, for example. It is respectfully submitted that that the manner in which the processor causes the at least one print head to print an image (i.e., causes the at least one print head to print a first background for one label and a different, second background for a second, subsequent label in a manner such that there is a region within which the first and second backgrounds meet to provide one of a blend between the first and second backgrounds and a boundary between the first and second backgrounds that is unclear) is not a statement of intended use. Rather, this language describes a specific interaction of the processor with at least one print header in a label printer. The Applicants therefore respectfully submit that this language must be considered in evaluating novelty and non-obviousness of claim 48.

Further, for these reasons, similar features recited in claim 58 also should be considered. Still further, claim 74 recites printing on a tape a first image for a first label and a second different image for a second label, said first and second labels being adjacent, in a manner such that there is a region within which the first and second images meet to provide one of a blend between the first and second images and a boundary between the first and

second images that is unclear. Clearly, this feature is not directed merely to intended use of a label printer (nor does the Office action appear to suggest otherwise). Therefore, all features of claim 74 must be considered.

Referring to the cited art, the printer shown in Figure 1 of Ishigouoka does not disclose first and second backgrounds of first and second labels meeting within a region. Figure 10 of Ishigouoka illustrates that, as a result of printing using the printer illustrated in Figure 1, backgrounds of adjacent labels are spaced well apart. Moreover, it is respectfully submitted that there is no teaching in Ishigouoka of a first background of one label and a second background of a second, subsequent label blending, or of a boundary between the first and second backgrounds being unclear.

These differences between the claimed printer and method, and those described by Ishigouoka, result from more than a mere design choice on the part of one of ordinary skill in the art. Cuts (C1, C2) formed in the tape illustrated in Figure 10 are made a minimal distance (L3) from the respective ends of the printed image. One of ordinary skill in the art would not have thought to increase the length of L3, since to do so would mean that more print would be produced on those parts of the tape which are to be disposed of, which would waste the ink provided on the ink sheet 2 and cause less of the printed images to remain on the postcards.

The distance L4 between the cut (C2) and the print start position on a tape is dictated by the dimensions of the printer itself. It can be appreciated from Figure 1 of Ishigouoka that the distance L4 is the space between the printhead 1a and the sensor 7, within which is provided a pair of pinch rollers 5. One of ordinary skill in the art would appreciate that, since the pinch rollers 5 are positioned between the printhead 1a and the sensor 7, the distance L4 could not be substantially reduced. In particular, the distance L4 could not be reduced such that it is less than twice the distance of L3 (which would then lead to backgrounds/images of adjacent labels blending or to a boundary between the backgrounds/images being unclear).

As such, it is respectfully submitted that one of ordinary skill in the art would not think to modify the printer taught in Ishigouoka such that the first and second backgrounds/images of adjacent labels meet such as to blend or have an unclear boundary. Therefore, for at least these reasons Claims 48, 58 and 74 are not obvious in light of Ishigouoka.

Applicants' claimed printer and method also provide significant advantages in light of Ishigouoka. Some embodiments provide printers which, in addition to providing well-defined

backgrounds/images up to the leading and trailing edges of labels, minimize wastage of image receiving medium. Since the printers of these embodiments print the background/images of adjacent labels in a manner such that they meet, the discarded regions between the labels can be kept to a minimum length in the image receiving medium feeding direction.


Niwa also fails to disclose at least "one of a blend between the first and second backgrounds and a boundary between the first and second background that is unclear" (see for example, Figure 10 of Niwa). Therefore in no way can Ishigouoka and Niwa be combined to arrive at the presently amended claims, which are accordingly novel and non-obvious. For at least these reasons, the cited art cannot render claims 48, 58, or 74 non-novel or obvious. The Applicants respectfully request that the rejection of claims 48, 58, and 74 under 35 U.S.C. §103(a) be withdrawn.

Further, claims 49-53, 57, and 69-73 are allowable at least because each of these claims depends from an allowable claim. Therefore, the Applicants also request that the rejection of claims 49-53, 57, and 69-73 under 35 U.S.C. §103(a) be withdrawn.

It is believed that no fees are due in connection with the present Amendment. However, in the event any fees are due, kindly charge the cost thereof to our Deposit Account No. 13-2855 under Order No. 31118/DY0303.

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Respectfully submitted,

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